



City of Boston
Board of Appeal

HEARING MINUTES

Tuesday, September 25, 2018

BOARD OF APPEALS

Room 801

Board Chairperson Araujo called the meeting to order promptly at 9:30 AM and commenced with a brief description of the hearing process and, pursuant to the Massachusetts Open Meeting Law, advised those in attendance that the hearings would be broadcast and recorded and hearing minutes would be kept. The Board members then commenced with discussion of the following Agenda items which were announced on the record by Board Secretary Mark Fortune:

APPROVAL OF HEARING MINUTES:

August 28, 2018 & September 11, 2018

Extension: 9:30a.m.

Case: BOA-621157 **Address:** 47 Hosmer Street, **Ward** 14 **Applicant:** Lisa Lewis

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-608081 **Address:** 611 Columbia Road, **Ward** 7 **Applicant:** Lisa Lewis

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-492844, **Address:** 165 Bowen Street, **Ward** 6 **Applicant:** Gerald Curtin

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-607692, **Address:** 222R Dana Avenue, **Ward** 18 **Applicant:** Richard Lynds, Esq.

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case:BOA-624314, **Address:** 33 Leyden Street, **Ward 1 Applicant:** Richard Lynds, Esq

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-505714, **Address:** 15 Commonwealth Avenue, **Ward 5 Applicant:** Eugene Kelly, Esq

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-413033, **Address:** 64-66 Gove Street, **Ward 1 Applicant:** Generoso Ciruolo

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-544286, **Address:** 873 South Street, **Ward 20 Applicant:** William O'Brien

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

Case: BOA-451989, **Address:** 168 H Street, **Ward 7 Applicant:** James O'Mara, Esq

Discussion: The applicant requested an extension of zoning relief previously granted by the Board.

Votes: Upon a Motion and second, the Board voted unanimously to approve the request for a one year extension.

HEARINGS: 9:30 a.m.

Case: BOA-814667 **Address:** 9 Glencoe Street , **Ward 22 Applicant:** George Morancy, Esq

Article(s): 51(51-8) 51(51-9: Lot area insufficient, Floor area ratio excessive, Usable open space insufficient & Front yard insufficient) 51(51-56) 10(10-1)

Purpose: Demolish existing One Family Dwelling. Erect a 3 story, 9 Unit Residential dwelling as per Plans.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail, stating the reasons for this appeal. The applicant described the proposed project to construct 3 story 9 unit building on a 10,000 square foot lot with 18 parking spaces.

Board Members discussed the violations regarding off street parking “not correct”

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services , Councilor Cuommo, and Councilor Essabi-George are in support. BAIA are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Pisani seconded and the Board voted unanimously to approve.

Case: BOA-831064 **Address:** 17 Madeline Street , **Ward 22 Applicant:** Steven Tolman

Article(s): 51(51-8: Side yard insufficient & Rear yard insufficient)

Purpose: Propose one-story rear addition and deck to existing single family dwelling.

Discussion: At the request of the Board, the applicant presented plans and described the proposed project in detail, stating the reasons for this appeal. The applicant described the proposed project to construct 3 story 9 unit building on a 10,000 square foot lot with 18 parking spaces.

Board Members discussed the violations regarding off street parking “not correct”

Testimony: The Board then requested testimony from neighbors and elected officials. Mayor’s Office of Neighborhood Services , Councilor Cuommo, and Councilor Essabi-George are in support. BAIA are in support.

Documents/Exhibits: Building Plans

Votes: Board Member Galvin moved for approval with BRA, Pisani seconded and the Board voted unanimously to approve.

Case: BOA-861926 **Address:** 116 Murdock Street , **Ward 22 Applicant:** Nicholas Papakyrikos

Article(s): 9(9-1) 51(51-9)

Purpose: Rebuild front porch.

Case: BOA-856409 **Address:** 30 Penniman Road , **Ward 22 Applicant:** Jumbo Capital Management, LLC

Article(s): 51(51-56: Off street parking insufficient, Off street loading insufficient & 51-56.5 off street parking, design) 51(51-20: Floor area ratio excessive, Building height excessive, Usable open space insufficient & Rear yard insufficient) 51(51-19)

Purpose: Erect 7 story building with 44 residential units, 2 artist live/work units and 42 parking spaces. Demolition of existing building will be on a separate permit. Request nominal fee.

Case: BOA-823802 **Address:** 46 Murray Hill Road , **Ward 19 Applicant:** Halyard, Sheets and Rudder Incorporated

Article(s): 67(67-9: Lot size to erect new dwelling: insufficient, Required lot width to erect new dwelling: insufficient, Required lot frontage to erect new dwelling: insufficient, Floor area ratio: excessive, Required side yard setback to erect new dwelling: insufficient & Required usable open space for new dwelling: insufficient) 67(67-33)

Purpose: On existing parcel # 1903150000, erect new construction single family dwelling as per attached plans.

Discussion: At the request of the applicant **this case has been deferred to 11/13/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-835025 **Address:** 476 Beech Street , **Ward 18 Applicant:** Jorge Fortin

Article(s): 67(67-9: Lot frontage is insufficient, Lot area insufficient, Lot width insufficient & Rear yard insufficient) 67(67-32)

Purpose: Construct new 1-family residential on proposed lot to be subdivided from larger lot with existing two family on it - Please see ALT81490.

Case: BOA-835034 **Address:** 478 Beech Street , **Ward 18 Applicant:** Jorge Fortin

Article(s): 67(67-9: Lot area insufficient, Add'l lot area insufficient, Lot width insufficient, Floor area ratio excessive, Usable open space insufficient, Side yard insufficient & Frontage is insufficient)

Purpose: Subdivide existing lot into two lots; one to keep existing building and the other to allow for new construction (1-family residential).

Case: BOA-816676 **Address:** 2149-2151 Dorchester Avenue , **Ward 17 Applicant:** John Barry

Article(s): 65(65-8) 65(65-9)

Purpose: Build addition to existing building in front yard. 4 unit occupancy to remain the same. Add fire protection system.

Case: BOA-830941 **Address:** 28 Dix Street , **Ward 16 Applicant:** Ronnie Nunes

Article(s): 65(65-9: Floor area ratio excessive & Bldg height excessive (stories))

Purpose: Legalize unit 3 on third floor and renovate. Change of occupancy from two-family to three-family dwelling. Propose three (3) off-street parking. To be filed in conjunction with issued ALT760879.

Case: BOA-815385 **Address:** 578 Gallivan Blvd , **Ward 16 Applicant:** John Doherty

City Hall, upon the appeal of John Doherty seeking with reference to the premises at 578 Gallivan Blvd, Ward 16 for the terms of the Boston Zoning Code (see Acts of 1956, c. 665) in the following respect: Variance Article(s): 65(65-8) 65(65-9) 65(65-9.2) Purpose: Change of occupancy from a Two-Family to Three-Family Dwelling. New dwelling unit extended into basement and garage. Propose five (5) off-street parking.

Discussion: At the request of the applicant **this case has been deferred to 10/30/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-798863 **Address:** 11 Inwood Street , **Ward 15 Applicant:** Stuart Schrier

Article(s): 65(65-65-8: Lot area insufficient, Floor area ratio excessive & Front yard insufficient) 65(65-9: Add'l lot area insufficient, Lot width insufficient, Lot frontage insufficient, Side yard insufficient, Usable open space insufficient & Bldg height excessive (stories))

Purpose: Proposed new 3 family wood frame construction on existing vacant lot.

Case: BOA-818307 **Address:** 11 Browning Avenue , **Ward 14 Applicant:** Sy Huu Yo

Article(s): 60(60-9: Additional lot area for each additional dwelling unit insufficient, Usable open space insufficient, Front yard insufficient, Side yard insufficient, Rear yard insufficient & Floor area ratio excessive)

Purpose: Proposed 3 family.

Case: BOA-819729 **Address:** 107 Brunswick Street , **Ward** 14 **Applicant:** Jonathan Smalls

Article(s): 50(50-29)

Purpose: Extend living space to basement for Unit # 1 on existing three-family dwelling. Interior renovation to Unit # 1.

Discussion: At the request of the applicant **this case has been Denied.**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA#819730 **Address:** 107 Brunswick Street , **Ward** 14 **Applicant:** Jonathan Smalls

Purpose: Extend living space to basement for Unit # 1 on existing three-family dwelling. Interior renovation to Unit # 1. Section 9th 780 CMR 1016 Exit Access. Section 1016.2 Exit Access. Means of egress from dwelling units or sleeping areas shall not lead through other sleeping areas, toilet rooms, or bathrooms. Egress shall not pass through storage kitchens, storage rooms, closets or spaces used for similar purposes.

Case: BOA-734153 **Address:** 79 Devon Street , **Ward** 14 **Applicant:** Douglas Wohn

Article(s): 10(10-1) 8(8-7) 50(50-29: Excessive F.A.R., # of allowed habitable stories has been exceeded & Insufficient open space)

Purpose: Change of Occupancy from three to four apartments by legalizing the existing situation of basement apartment with reconfiguration of stairs and other related works per plans filed. To proceed to ZBA.

Discussion: At the request of the applicant **this case has been Dismissed Without Prejudice.**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-810886 **Address:** 61 Hollander Street , **Ward** 12 **Applicant:** John Pulgini

Article(s): 50(50-29: Lot area insufficient, Additional lot area per unit insufficient, Lot width is insufficient, Excessive F.A.R., Height excessive, Front yard setback insufficient & Side yard setback is insufficient) 50(50-43)

Purpose: Erect new three family with off street parking per plans.

Case: BOA842247- **Address:** 75-77 Cedar Street , **Ward** 11 **Applicant:** Ulyen Coleman

Article(s): 50(50-28)

Purpose: Change from a Single Family Dwelling to a Temporary Shelter for Boys 12 to 17. No construction changes.

Discussion: At the request of the applicant **this case has been deferred to 11/13/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

HEARINGS: 10:30 a.m.

Case: BOA-844006 **Address:** 12 Cawfield Street , **Ward 7 Applicant:** Dave Anderson
Article(s): 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient & Side yard insufficient) 65(65-41) 65(65-42.7)

Purpose: Erect new two-family dwelling with proposed two (2) off-street parking on new subdivided Parcel 3755 contains 2,380 SF lot area. File in conjunction with ALT825674 for subdivided lot and ERT825683 for separate new three-family dwelling.

Discussion: At the request of the applicant **this case has been deferred to 11/13/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-844004 **Address:** 14 Cawfield Street , **Ward 7 Applicant:** Dave Anderson
Article(s): 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Usable open space insufficient & Side yard insufficient) 65(65-41)

Purpose: Subdividing existing parcel 0703754010 to three lots (Parcel 3756 - 2,030 SF, Parcel 3755 - 2,380 SF, Parcel 3754 - 2,147 SF). Existing three-family dwelling to remain. File in conjunction with ERT825681 and ERT825683.

Discussion: At the request of the applicant **this case has been deferred to 11/13/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-844007 **Address:** 24 Elder Street , **Ward 7 Applicant:** Dave Anderson
Article(s): 65(65-9: Lot area insufficient, Lot frontage insufficient, Floor area ratio excessive, Bldg height excessive (stories), Front yard insufficient & Side yard insufficient) 65(65-42.3)

Purpose: Erect new three-family dwelling with proposed three (3) off-street parking on new subdivided Parcel 3754 contains 2,147 SF lot area. File in conjunction with ALT825674 for subdivided lot and ERT825681 for separate new two-family dwelling.

Discussion: At the request of the applicant **this case has been deferred to 11/13/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-840518 **Address:** 274 Athens Street , **Ward 6 Applicant:** Timothy Johnson
Article(s): 27S(27S-5) 68(68-29)

Purpose: Addition/renovation to 2-1/2 story attached single-family dwelling to create 4 story attached single-family dwelling w/garage and front balcony as per plans submitted.

Discussion: At the request of the applicant **this case has been deferred to 12/11/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-840519 **Address:** 276 Athens Street , **Ward 6 Applicant:** Timothy Johnson
Article(s): 68(68-33) 27S(27S-5)

Purpose: Erect new 4 story attached, 2-family dwelling w/garage and front balcony on vacant land as per plans submitted.

Discussion: At the request of the applicant **this case has been deferred to 12/11/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-850546 **Address:** 451 D Street , **Ward 6 Applicant:** Mary Marshall

Article(s): 27S(27S-9) 68(68-10)

Purpose: Seeking the ability to build out and use space within the building for the purposes of Research and Development laboratory use. No work to be done at this time.

Case: BOA-835144 **Address:** 870 East Fifth Street , **Ward 6 Applicant:** Anthony Virgilio

Article(s): 27S(27S-5)

Purpose: Full gut interior renovation for existing three-family dwelling units. Extend living space to basement. Installation of new MEP/FA/FP.

Discussion: At the request of the applicant **this case has been deferred to 11/27/2018**

Votes: Upon a Motion and second, the Board voted unanimously to approve the request.

Case: BOA-832854 **Address:** 650 East Seventh Street , **Ward 6 Applicant:** Douglas Stefanov

Article(s): 68(68-7) 27S(27S-5) 68(68-29) 68(68-33)

Purpose: Create additional living space in existing basement - 874 sq ft.

Case: BOA-853544 **Address:** 428-430 West Broadway , **Ward 6 Applicant:** George Morancy, Esq

Article(s): 27S(27S-5)

Purpose: Interior renovation to existing bank branch office. Includes demolition to existing walls, floors and ceilings, construction of new walls floors and ceilings. Replace canopy and exterior stairway.

Case: BOA-836691 **Address:** 250 Newbury Street , **Ward 5 Applicant:** Josephine Damore

Article(s): 9(9-1)

Purpose: Outside seating associated with ALT796619. No work to be done.

Case: BOA-850379 **Address:** 99 High Street , **Ward 3 Applicant:** Bruce Clifford

Article(s): 49A(49A-5)

Purpose: Citizens Bank 1st Floor Tenant Interior Construction. Change of occupancy from "offices, restaurant #36a & 37, garage, stores, car rental & bank" to "offices, restaurant #36a & 37, garage, car rental & bank with atm."

Case: BOA-833842 **Address:** 60 State Street , **Ward 3 Applicant:** Oxford Properties Group (by American Craft Brewery, LLC

Article(s): 45(45-5)

Purpose: Interior renovation of existing restaurant and new building addition.

Case: BOA#842176 **Address:** 60 State Street , **Ward 3 Applicant:** Oxford Properties Group (by American Craft Brewery, LLC

Purpose: Interior renovation of existing restaurant and new building addition. Section Building. Building Code Refusal: MAAB-CH 7. Sect 705 Openings. Openings are not permitted where the fire separation distance is less than 3ft.

Case: BOA-843982 **Address:** 79 Pearl Street , **Ward 2 Applicant:** Justin Pietrella
Article(s): 62(62-8)

Purpose: Interior renovation of Lower Level and First Floor. Addition of 2 new bedrooms and bathroom to existing lower level. Addition of new interior stair.

Case: BOA-853541 **Address:** 223 Everett Street , **Ward 1 Applicant:** George Morancy, Esq
Article(s): 53(53-9)

Purpose: Proposed three (3) off-street parking in the rear of existing three-family dwelling.

Case: BOA-865018 **Address:** 76 Horace Street , **Ward 1 Applicant:** William Higgins
Article(s): 53(53-56)

Purpose: Erect a 2 family dwelling as per plans. This application has been filed in conjunction with ALT subdivision permit assigned to F.D. *ALT filed requires other ZBA variances.

Case: BOA-770136 **Address:** 78 Horace Street , **Ward 1 Applicant:** William Higgins
Article(s): 53(53-56) 53(53-9: Insufficient side yard setback (2.5' req.) & Insufficient open space (750 SF req))

Purpose: Subdivide this parcel 0100903000 into 2 lots, Lot A to remain as 78 Horace St and Lot B to have 2,500 Sq. FT and to be known as 76 Horace St. Also confirm occupancy as a two family dwelling for this an existing condition for many years. *ERT757454 filed.

Case: BOA-818494 **Address:** 223 Saratoga Street , **Ward 1 Applicant:** Saratoga Inc.
Article(s): 53(53-8) 53(53-9: Insufficient additional lot area per unit - 9,000sf min. lot req., Excessive F.A.R. - (1.0 max.), # of allowed stories exceeded (3 Story max), Maximum allowed height exceeded (35' max), Insufficient open space proposed (2,700 sf. min. req.), Insufficient rear yard setback (35' min. req.) & Insufficient side yard setback (2.5' min. req.)) 53(53-54) 53(53-56.5a)

Purpose: To combine two lots with parcel IDs 0106712000 and 0106713000. Also to demolish the existing building and erect a four story building with nine units and interior parking spaces. See ALT807405.

Case: BOA-819243 **Address:** 806 Saratoga Street , **Ward 1 Applicant:** Cecilia Maya
Article(s): 53(53-8) 53(53-9: Excessive F.A.R. & # of allowed stories has been exceeded)
Purpose: Erect 3 Unit residential dwelling. See ALT637432 & ALT637334 for combining and subdivision of lots. *Existing structure is to be demolished on separate permit application. *New quit claim deed provided 2.16.18.

Case: BOA-819227 **Address:** 96 Wordsworth Street , **Ward 1 Applicant:** Cecilia Maya
Article(s): 53(53-9: Insufficient lot size, Insufficient F.A.R., Insufficient open space & Insufficient rear yard setback) **Purpose:** New Description: Subdivide existing 2,986 s.f. lot to create a new lot consisting of 2,010s.f. for 96 Wordsworth, no other work to be done (single family to remain). Remaining portion of 976 sq. lot shall be combined with (ALT637432) which is filed in conjunction with Ert637330 for 806 Saratoga St. *Plans are with ERT637330.

Case: BOA-835789 **Address:** 78 Waldemar Avenue , **Ward 1 Applicant:** Joshua Acevedo
Article(s): 53(53-57) 53(53-53-9: Lot area insufficient, Floor area ratio excessive, Building height excessive, Building height (# of stories) excessive, Side yard insufficient & Rear yard insufficient)
Purpose: Erect a Single Family Home for my family to live in.

Case: BOA-825355 **Address:** 210 Webster Street , **Ward 1 Applicant:** Nick Schiffer
Article(s): 53(53-9)
Purpose: Remove and replace existing rear addition including the installation of a new foundation/crawl space. Interior renovation of existing dwelling.

RE-DISCUSSIONS: 11:30a.m.

Case: BOA-617813, **Address:** 173 Humboldt Avenue, **Ward 12 Applicant:** John Samaan
Article(s): 50(50-28)
Purpose: Increase lodging from 10 to 20 persons, no work to be done, changing beds from one bed to two per room (previous drawings submitted to indicate building systems)

Case: BOA-694031 **Address:** 31 Woodlawn Street , **Ward 11 Applicant:** 31 Woodlawn Realty Trust
Article(s): 55(55-9: Lot area for additional dwelling units insufficient, Floor area ratio excessive, Building height (# of stories) excessive, Usable open space insufficient, Side yard insufficient & Rear yard insufficient) 55(55-40)
Purpose: Demolish existing Attic Roof and construct a new 3rd Floor Level. Construct new exterior Decks in Rear Yard. Change Occupancy from a Two (2) Family Dwelling to a Three (3) Family Dwelling. Building will be fully Sprinklered. Off-Street Parking for this building will be located at 33 Woodlawn Street.

Case: BOA-694028 **Address:** 33 Woodlawn Street , **Ward 11 Applicant:** 31 Woodlawn Realty Trust
Article(s): 55(55-8) 55(55-9: Lot area insufficient, Floor area ratio excessive, Building height (# of stories) excessive, Usable open space insufficient, Side yard insufficient & Rear yard insufficient) 55(55-40)
Purpose: Erect a new 3 story, Three (3) Family Dwelling. There will be a 6 Vehicle Parking Garage located beneath building. Parking Garage will also be used by 31 Woodlawn Street. Construct new exterior Decks in Rear Yard. Building will be fully Sprinklered.

Case: BOA-819529 **Address:** 48-62 Brookline Avenue , **Ward 5 Applicant:** City Wide Contracting LLC
Article(s): 32(32-4)
Purpose: Build out Retail store with new entryway at street level.

Case: BOA-825479 **Address:** 18 Everett Street , **Ward 1, Applicant:** 18-20 Residential Partners, LLC
Article(s): 10(10-1) 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-54) 53(53-56) 53(53-56) 53(53-56.5a)
Purpose: Combine parcel numbers 0105299000 and 0105298000 to create a new lot consisting of 4,500 s.f. (See ALT810560) and erect a 9 unit residential dwelling with 9 off street parking spaces at grade. ALT810560

Case: BOA-810158 **Address:** 25 Everett Street , **Ward 1 Applicant:** William Moriarty

Article(s): 10(10-1) 53(53-8) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9) 53(53-9)
53(53-57.2) 53(53-56.5(a)) 53(53-56) 53(53-54)

Purpose: Demolish existing single family home at 25 Everett St and garage in rear at 3 Emmet Pl - Combine front lot with rear lot to create one lot and build a 4 story 8 residential unit building with 6 two bedroom units and 2 one bedroom units. *Single family to be razed on a separate permit.

Case: BOA-818498 **Address:** 181 Cowper Street , **Ward 1 Applicant:** 181 Cowper LLC

Article(s): 53(53-9: Bldg height excessive (stories), Bldg height excessive (feet) & Rear yard insufficient)53(53-8) 53(53-56) 53(53-57.2) 10(10-1)

Purpose: Erect new three-story building with nine (9) residential dwelling units and fourteen (14) parking spaces in a conditional lot of 13,350 square feet filed under ALT812201.

Case: BOA-848647, **Address:** 82 Glencliff Road **Ward:** 18 , **Applicant:** Michael Smith

Article(s): 67(67-32)

Purpose: Off street for 2 residential vehicle.

RECOMMENDATIONS:

(The Zoning Advisory Subcommittee held hearings for the following cases on August 23, 2018. Board Secretary Mark Fortune reported the Subcommittee's recommendations from these hearings to the Board.)

Case: BOA-844728, **Address:** 9 Ludlow Street **Ward:** 2 , **Applicant:** Mark Little

Article(s): 62(62-25) 62(62-62-8) 62(62-8)

Purpose: Build new roof deck as per plans. Headhouse is existing. New deck to be 15ftx12ft approx with a walkway. Composite decking and PVC handrails One GFCI power outlet.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-861252, **Address:** 886 East Second Street **Ward:** 6 , **Applicant:** Timothy Bianchi

Article(s): 27S(27S-5) 68(68-29) 68(68-8: Side yard insufficient & Rear yard insufficient)

Purpose: Propose first floor addition for new pantry and reconstruct deck. Propose second floor rear addition, and third floor addition with roof deck. Full interior renovation to existing single-family dwelling.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-838550, **Address:** 156 O Street **Ward:** 6 , **Applicant:** Douglas Stefanov

Article(s): 68(68-29)

Purpose: Construct new private roof deck for Unit 2 with access through spiral stairs from existing rear decks from second floor to roof deck.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-833304, **Address:** 209-215 Boston Street **Ward:** 7 , **Applicant:** Paul Federico
Article(s): 9(9-1) 65(65-9: Front yard setback is insufficient, Floor area ratio is excessive & Front yard Clapp Street side is insufficient)

Purpose: Proposed side and vertical addition to expand existing garage as per plans.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-859171, **Address:** 1246-1250 Massachusetts Avenue **Ward:** 7 , **Applicant:** Travis Lee
Article(s): 9(9-1) 65(65-16)

Purpose: Dorchester Brewing Company would like to add a partial second story to the existing 24,000sf one-story building located at 1250 Mass Ave. The addition will include approximately 4,500sf of outdoor roof deck space and about 2,500sf of space in an outdoor structure. The addition will allow for more assembly space for Dorchester Brewing Company visitors to enjoy food and beer. This is a nominal fee application seeking a hearing at the ZBA.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-850237, **Address:** 215 Tudor Street **Ward:** 7 , **Applicant:** Sean O'Rourke
Article(s): 68(68-7)

Purpose: Change occupancy from storage to funeral home storage (storage of funeral equipment and refrigeration of human remains).

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-849581, **Address:** 161 Blue Hill Avenue **Ward:** 12 , **Applicant:** Amilcar Gonzalez
Article(s): 6(6-4)

Purpose: Remove proviso BZC 13878 from previous owner and grant proviso for takeout new owner.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-845799, **Address:** 138 Cushing Avenue **Ward:** 13 , **Applicant:** Barton Dahlstrom
Article(s): 65(65-9: Floor area ratio excessive, Building height (# of stories) excessive & Rear yard insufficient) **Purpose:** Renovate third floor of existing single family house. Enlarge dormer, Vertical addition and new roof deck as per plans. Permit set to be submitted upon ZBA approval.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-852769, **Address:** 14 Spring Garden Street **Ward:** 13 , **Applicant:** John Roche AIA
Article(s): 65(65-41) 65(65-9: Lot area insufficient, Lot width insufficient, Lot frontage insufficient, Floor area ratio excessive, Usable open space insufficient, Side yard insufficient & Rear yard insufficient)

Purpose: Change of Occupancy from a Single Family Dwelling to a Two Family Dwelling. Construct a new Rear addition onto existing Home.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-850876, **Address:** 147 Elmer Road **Ward:** 16 , **Applicant:** William Anderson
Article(s): 65(65-9: Excessive F.A.R., Insufficient front yard setback & Insufficient side yard setback)

Purpose: Erect a 1 story addition to front of house and a 2 story addition to rear of dwelling as per plans.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project.

Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-840223, **Address:** 33 Glide Street **Ward:** 16 , **Applicant:** Joseph McEachern
Article(s): 65(65-9: Excessive F.A.R. & Insufficient side yard setback)
Purpose: Proposed 2 story rear addition as per plans. Permit set to be submitted upon ZBA approval.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-836842, **Address:** 36 Oakcrest Road **Ward:** 18 , **Applicant:** Jonathan Viciere
Article(s): 69(69-29)
Purpose: Changing garage door to 36 inch door, finishing flooring with laminate, sheet-rocking existing CMU walls for smooth finish. Garage will be converted to living space.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-761099, **Address:** 96 Rosewood Street **Ward:** 18 , **Applicant:** Kadijatu Jalloh
Article(s): 10(10-1) 60(60-4: Location: off-street parking shall not be located in any part of a front yard & Design: The minimum size of the car is insufficient each car space shall be located entirely on the lot)
Purpose: Propose two (2) off-street parking and driveway with retaining wall.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-842882, **Address:** 368 Centre Street **Ward:** 19 , **Applicant:** Rachel Mayo
Article(s): 55(55-11)
Purpose: We would like to change the current Occupancy from Jewelry Boutique to Take Out/Restaurant Use.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-852368, **Address:** 34 Gretter Road **Ward:** 20 , **Applicant:** Janet Dougherty

Article(s): 56(56-8: Floor area ratio excessive & Side yard insufficient)

Purpose: One story family room and kitchen extension including plumbing and electrical.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-849486, **Address:** 2 Summer Street **Ward:** 20 , **Applicant:** Robert Loftus

Article(s): 56(56-40) 56(56-8)

Purpose: 16'x24' prebuilt shed.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-863367, **Address:** 128 Brighton Avenue **Ward:** 21 , **Applicant:** Susan Cheng

Article(s): 651(51-56)

Purpose: Change occupancy from existing retail store to restaurant.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project. Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

Case: BOA-795073, **Address:** 47 Maple Street **Ward:** 18 , **Applicant:** Sean Smith

Article(s): 69(69-9)

Purpose: Extend living space to basement and renovations to attic.

Discussion/Vote: At the request of the Board, the applicant presented plans and described the proposed use in detail, stating the reasons for this appeal. The applicant described proposed project.

Following a brief discussion regarding the violations, the Subcommittee voted to recommend approval.

Documents/Exhibits: Building plans

**STEPHANIE HAYNES
BOARD OF APPEAL
617-635-4775**

BOARD MEMBERS:

CHRISTINE ARAUJO- CHAIR-ABSENT
MARK FORTUNE-SECRETARY
MARIE ST. FLEUR
BRUCE BICKERSTAFF
MARK ERLICH -ACTING CHAIR
ANTHONY PISANI
CRAIG GALVIN

SUBSTITUTE MEMBERS:

EUGENE KELLY

**For a video recording of Board of Appeal Hearings please go to:
https://www.cityofboston.gov/cable/video_library.asp**

For the complete text of the Boston Zoning Code Articles and definitions of terms in this agenda, please go to https://www.municode.com/library/ma/boston/codes/redevelopment_authority